

No.

200700454



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Orsetti Seed Company, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TIME THEREOF IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR IMPORTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE FOREGOING PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

LETTUCE

'Unisun'

In Testimony Whereof, I have hereunto set my hand and caused the seal of the Plant Variety Protection Office to be affixed at the City of Washington, D.C. this seventeenth day of February, in the year two thousand and nine.

Attest:

Commissioner
Plant Variety Protection Office
Agricultural Marketing Service

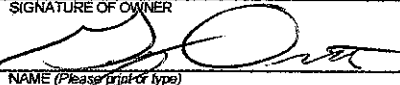
Secretary of Agriculture

U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY - PLANT VARIETY PROTECTION OFFICE

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and information collection burden statement on reverse)

The following statements are made in accordance with the Privacy Act of 1974 (5 U.S.C. 552a) and the Paperwork Reduction Act (PRA) of 1995.

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). Information is held confidential until certificate is issued (7 U.S.C. 2426).

1. NAME OF OWNER Orsetti Seed Company, Inc.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME BOS 9121 GLX		3. VARIETY NAME Unisun	
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code, and Country) 2301 Technology Parkway P.O. Box 2350 Hollister, CA 95024-2350		5. TELEPHONE (Include area code) (831) 636-4822		FOR OFFICIAL USE ONLY PVPO NUMBER #200700654 FILING DATE SEPTEMBER 26, 2007	
		6. FAX (Include area code) (831) 636-4814			
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (corporation, partnership, association, etc.) Corporation		8. IF INCORPORATED, GIVE STATE OF INCORPORATION California		9. DATE OF INCORPORATION June 1, 1986	
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (First person listed will receive all papers) Greg P. Orsetti 2301 Technology Parkway P.O. Box 2350 Hollister, CA 95024-2350				F E E S R E C E I V E D FILING AND EXAMINATION FEES: \$ 4,382.00 DATE 9/26/07 CERTIFICATION FEE: \$ 768.00 DATE 11/24/08	
11. TELEPHONE (Include area code) (831) 636-4822		12. FAX (Include area code) (831) 636-4814		13. E-MAIL greg@orsettiseeds.com	
14. CROP KIND (Common Name) Lettuce		16. FAMILY NAME (Botanical) Compositae		18. DOES THE VARIETY CONTAIN ANY TRANSGENES? (OPTIONAL) <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF SO, PLEASE GIVE THE ASSIGNED USDA-APHIS REFERENCE NUMBER FOR THE APPROVED PETITION TO DEREGULATE THE GENETICALLY MODIFIED PLANT FOR COMMERCIALIZATION.	
15. GENUS AND SPECIES NAME OF CROP Lactuca sativa L.		17. IS THE VARIETY A FIRST GENERATION HYBRID? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
19. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)				20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED SEED? (See Section 83(a) of the Plant Variety Protection Act) <input type="checkbox"/> YES (If "yes", answer items 21 and 22 below) <input checked="" type="checkbox"/> NO (If "no", go to item 23)	
a. <input checked="" type="checkbox"/> Exhibit A. Origin and Breeding History of the Variety b. <input checked="" type="checkbox"/> Exhibit B. Statement of Distinctness c. <input checked="" type="checkbox"/> Exhibit C. Objective Description of Variety d. <input type="checkbox"/> Exhibit D. Additional Description of the Variety (Optional) e. <input checked="" type="checkbox"/> Exhibit E. Statement of the Basis of the Owner's Ownership f. <input checked="" type="checkbox"/> Exhibit F. Declaration Regarding Deposit g. <input checked="" type="checkbox"/> Voucher Sample (3,000 viable untreated seeds or, for tuber propagated varieties, verification that tissue culture will be deposited and maintained in an approved public repository) h. <input checked="" type="checkbox"/> Filing and Examination Fee (\$4,382), made payable to "Treasurer of the United States", (Mail to the Plant Variety Protection Office)				21. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED	
				22. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, SPECIFY THE NUMBER 1,2,3, etc. FOR EACH CLASS. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED (If additional explanation is necessary, please use the space indicated on the reverse.)	
23. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U. S. OR OTHER COUNTRIES? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE FOR EACH COUNTRY AND THE CIRCUMSTANCES. (Please use space indicated on reverse.)				24. IS THE VARIETY OR ANY COMPONENT OF THE VARIETY PROTECTED BY INTELLECTUAL PROPERTY RIGHT (PLANT BREEDER'S RIGHT OR PATENT)? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO IF YES, PLEASE GIVE COUNTRY, DATE OF FILING OR ISSUANCE AND ASSIGNED REFERENCE NUMBER. (Please use space indicated on reverse.)	
25. The owners declare that a viable sample of basic seed of the variety has been furnished with application and will be replenished upon request in accordance with such regulations as may be applicable, or for a tuber propagated variety a tissue culture will be deposited in a public repository and maintained for the duration of the certificate. The undersigned owner(s) is(are) the owner of this sexually reproduced or tuber propagated plant variety, and believe(s) that the variety is new, distinct, uniform, and stable as required in Section 42, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.					
SIGNATURE OF OWNER 		SIGNATURE OF OWNER			
NAME (Please print or type) Greg P. Orsetti		NAME (Please print or type)			
CAPACITY OR TITLE V.P., Sales & Marketing		DATE 9/24/07		CAPACITY OR TITLE 	
				DATE 	

(See reverse for instructions and information collection burden statement)

EXHIBIT A
Revised 9/8/2008

Origin and Breeding History of the Variety

The lettuce variety, Unisun (exp. BOS 9121 GLX), originated through the breeding program of Orsetti Seed Company, Inc.

The sexual method of plant breeding was utilized in the development process. A cross was made between two parents and single seed descent was subsequently used to achieve the ultimate variety.

The lettuce variety, Tehama, was used as the female variety and the lettuce variety, Two Star PVP, was used as the male pollinator. The original cross was made in the Orsetti Seed Company, Inc. greenhouse at San Juan Bautista, California.

The selection criteria for developing the variety was as follows:

1. Green loose leaf type
2. Medium-large size
3. High individual leaf count
4. Open center of the leaf head
5. Bolting tolerance
6. Adaptation to warm growing environments

The F1 seed was harvested and planted in a breeding trial at Five Points, California in the spring of 2004.

Seven single plant selections were made from the F1 progeny. The single plants were left in the field trial where they bolted and were allowed to self pollinate. Each of the seven single plants was harvested separately and the seed was planted to trial in the spring of 2005 at San Juan Bautista, California.

Of the seven lines, 9900019-1 through 9900019-7, the single plant selection, 9900019-4 had three single plants selected. These three plants were transplanted at market maturity to the greenhouse where they bolted and were selfed for seed production, October 2005. The three lines: 9900019-4-1, 9900019-4-2 and 9900019-4-3 were planted to progeny grow outs in June 2006 at San Juan Bautista, California, and the line, 9900019-4-2 was considered uniform and stable for market trialing.

Line 9900019-4-2 was also planted in April 2006 to a small seed increase at Five Points, California for use in market evaluation and acceptance during the fall of 2006.

GENERAL INSTRUCTIONS: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E, F; (3) for a tuber reproduced variety, verification that a viable (in the sense that it will reproduce an entire plant) tissue culture will be deposited and maintained in an approved public repository; and (4) payment by credit card or check drawn on a U.S. bank for \$4,382 (\$518 filing fee and \$3,864 examination fee), payable to "Treasurer of the United States" (See Section 97.6 of the Regulations and Rules of Practice). **NEW:** With the application for a seed reproduced variety or by direct deposit soon after filing, the applicant must provide at least 3,000 viable untreated seeds of the variety per se, and for a hybrid variety at least 3,000 untreated seeds of each line necessary to reproduce the variety. Partial applications will be held in the PVPO for not more than 90 days; then returned to the applicant as un-filed. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 401, NAL Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. Retain one copy for your files. All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. **DO NOT** use masking materials to make corrections. If a certificate is allowed, you will be requested to send a payment by credit card or check payable to "Treasurer of the United States" in the amount of \$768 for issuance of the certificate. Certificates will be issued to owner, not licensee or agent.

NOTES: It is the responsibility of the applicant/owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. The fees for filing a change of address; owner's representative; ownership or assignment; or any modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the Regulations and Rules of Practice.)

Plant Variety Protection Office
Telephone: (301) 504-5518 **FAX:** (301) 504-5291
General E-mail: PVPOmail@usda.gov
Homepage: <http://www.ams.usda.gov/science/pvpo/PVPindex.htm>

SPECIFIC INSTRUCTIONS:

To avoid conflict with other variety names in use, the applicant must check the appropriate recognized authority and provide evidence that the permanent name of the application variety (even if it is a parental, inbred line) has been cleared by the appropriate recognized authority before the Certificate of Protection is issued. For example, for agricultural and vegetable crops, contact: U.S. Department of Agriculture, Agricultural Marketing Service, Livestock and Seed Programs, Seed Regulatory and Testing Branch, 801 Summit Crossing Place, Suite C, Gastonia, North Carolina 28054-2193 Telephone: (704) 810-8870. <http://www.ams.usda.gov/lsg/seed.htm>.

ITEM

- 19a. Give:
- (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method;
 - (2) the details of subsequent stages of selection and multiplication;
 - (3) evidence of uniformity and stability; and
 - (4) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified
- 19b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) identify these varieties and state all differences objectively;
 - (2) attach replicated statistical data for characters expressed numerically and demonstrate that these are clear differences; and
 - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- 19c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- 19d. Optional additional characteristics and/or photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- 19e. Section 52(5) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO.
20. If "Yes" is specified (seed of this variety be sold by variety name only, as a class of certified seed), the applicant **MAY NOT** reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).
23. See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.
24. See Section 55 of the Act for instructions on claiming the benefit of an earlier filing date.

22. CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

23. CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

Date of first sale: 09/28/2006

24. CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or part of an individual's income is derived from any public assistance program (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotope, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write to USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, or call (800) 795-3272 (voice) or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.

Exhibit A
Page 2

Additional selection was made from the line 9900019-4-2 during August 2006. Three single plants were lifted from the breeding trial and transplanted to the greenhouse. Single plant selection 9900019-4-2-1 survived as the F4 generation for the variety with seed harvest taking place November 2006.

A comparison trial grow out planting of the mass of 9900019-4-2 and progeny of 9900019-4-2-1 was made at Yuma, Arizona, December 2006. The grow out resulted in no significant difference between the mass of 9900019-4-2 and progeny of 9900019-4-2-1, and therefore stockseed for the variety was utilized from 9900019-4-2 mass.

'Unisun' has been observed for two generations of reproduction and during the seed increase period and is uniform and stable. There are no variants or off types expressed.

The variety name 'Unisun' was cleared for use by the Seed Branch before application to PVP was made.

EXHIBIT BStatement of Distinctness

The variety, Unisun (exp. BOS 9121 GLX) most closely resembles the greenleaf variety, Two Star PVP (an Orsetti Seed Company, Inc. proprietary variety).

Unisun and Two Star PVP both produce good size and weight during the warmer growing seasons; however, Unisun differs with the following:

1. Unisun has a plant frame habit that is open and spreading, while Two Star PVP has a plant habit that is closed and upright.
2. Unisun has an average of 32 usable single leaves per plant while Two Star PVP has an average of 21 single usable leaves per plant.
3. Unisun has a more uniform size of usable leaves than Two Star PVP or Waldmann's Green.
4. Unisun resists the tendency to close its center growing leaves at market maturity as may take place with Two Star PVP or Waldmann's Green.
5. Unisun's growing point is slower to bolt into seed stalk than Two Star PVP or Waldmann's Green.
6. Unisun has more tolerance to tip burning during the warmer growing season than has Two Star PVP.



Photos of Unisun (top) and
Two Star PVP (bottom) at Harvest Stage

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, sexual orientation, marital or family status, political beliefs, parental status, or protected genetic information. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at 202-720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-9410 or call 202-720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

**U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MD 20705**

Exhibit C

**OBJECTIVE DESCRIPTION OF VARIETY
Lettuce (*Lactuca sativa* L.)**

NAME OF APPLICANT (S) Orsetti Seed Company, Inc.	TEMPORARY OR EXPERIMENTAL DESIGNATION BOS 9121 GLX	VARIETY NAME Unisun
ADDRESS (Street and No., or RD No., City, State, Zip Code, and Country) 2301 Technology Parkway P.O. Box 2350 Hollister, CA 95024-2350		PVPO NUMBER #200700454

Place the appropriate number that describes the varietal character in the boxes below. Place a zero in the first box (e.g. or) when number is either 99 or less or 9 or less. Measured data should be the mean of an appropriate number (at least 20) of well space plants. Royal Horticultural Society or any recognized color standard may be used to determine plant colors.

The Location of the Test Area is: San Juan Bautista, California	Color System Used: RHS
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SPECIFIC VARIETIES USED FOR COMPARISON AS CHECK VARIETIES IN THIS APPLICATION: Use standard regional check varieties, which are adapted to your area. One of the comparison varieties must be the most similar variety used in Exhibit B.

Application Variety (a1) Unisun Most Similar Variety (c1) Two Star PVP
Standard Regional Check Variety (c2) Waldmann's Green

1. PLANT TYPE: (See List of Suggested Check Varieties on Page 8)

01 = Cutting/Leaf 02 = Butterhead 03 = Bibb	04 = Cos or Romaine 05 = Great Lakes Group 06 = Vanguard Group	07 = Salinas Group 08 = Eastern (Ithaca) Group 09 = Stem	10 = Latin 11 = Other (Specify) _____
(a1) <input type="text" value="0"/> <input type="text" value="1"/>	(c1) <input type="text" value="0"/> <input type="text" value="1"/>	(c2) <input type="text" value="0"/> <input type="text" value="1"/>	

2. SEED:

(a1) <input type="text" value="2"/>	COLOR 1 = White (Silver Gray) 2 = Black (Grey Brown) 3 = Brown (Amber)	(a1) <input type="text" value="1"/>	LIGHT DORMANCY 1 = Light Required 2 = Light Not Required	(a1) <input type="text" value="1"/>	HEAT DORMANCY 1 = Susceptible 2 = Not Susceptible
(c1) <input type="text" value="2"/>		(c1) <input type="text" value="1"/>		(c1) <input type="text" value="1"/>	
(c2) <input type="text" value="2"/>		(c2) <input type="text" value="1"/>		(c2) <input type="text" value="1"/>	

3. COTYLEDON TO FOURTH LEAF STAGE: NOTE: Provide a color photograph or photocopy of the fourth leaf from 20 day-old seedling grown under optimal conditions.

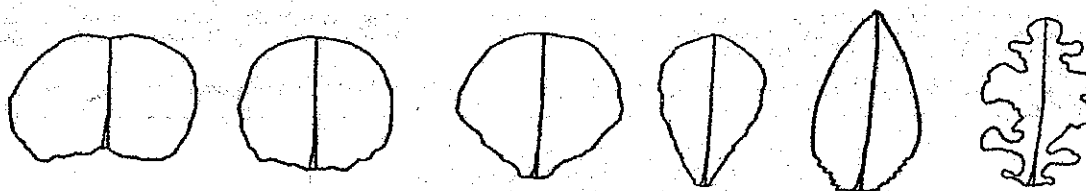
SHAPE OF COTYLEDONS: 1 = Broad 2 = Intermediate 3 = Spatulate

(a1) <input type="text" value="2"/>	(c1) <input type="text" value="2"/>	(c2) <input type="text" value="2"/>
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SHAPE OF FOURTH LEAF:

(a1) <input type="text" value="4"/>	(c1) <input type="text" value="4"/>	(c2) <input type="text" value="4"/>
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3. COTYLEDON TO FOURTH LEAF STAGE: (continued)



1. Transverse oval

2. Round

3. Oval

4. Elongated

5. Lanceolate

6. Pinnately lobed

LENGTH/WIDTH INDEX OF FOURTH LEAF: L/W x 10

(a1) (c1) (c2)

APICAL MARGIN:

1 = Entire

2 = Crenate/Gnawed

3 = Finely Dentate

4 = Moderately Dentate

5 = Coarsely Dentate

6 = Incised

7 = Lobed

8 = Other (Specify) _____

(a1) (c1) (c2)

BASAL MARGIN: (Use the options for Apical Margin above)

(a1) (c1) (c2)

UNDULATION:

1 = Flat

2 = Slight

3 = Medium

4 = Marked

(a1) (c1) (c2)

GREEN COLOR:

1 = Yellow Green

2 = Light Green

3 = Medium Green

4 = Dark Green

5 = Blue Green

6 = Silver Green

7 = Grey Green

(a1) (c1) (c2)

ANTHOCYANIN:

DISTRIBUTION:

1 = Absent

2 = Margin Only

3 = Spotted

4 = Throughout

5 = Other (Specify) _____

(a1) (c1) (c2)

CONCENTRATION:

1 = Light

2 = Moderate

3 = Intense

(a1) (c1) (c2)

ROLLING:

1 = Absent

2 = Present

(a1) (c1) (c2)

CUPPING:

1 = Uncupped

2 = Slight

3 = Markedly

(a1) (c1) (c2)

REFLEXING:

1 = None

2 = Apical Margin

3 = Lateral Margins

(a1) (c1) (c2)

2007 SEP 26 AM 10:34

8

4. MATURE LEAVES (Observe Harvest-Mature Outer Leaves)

NOTE: Provide color photo of a harvest-mature leaf which accurately shows color and margin characteristics.

MARGIN:

INCISION DEPTH: (deepest penetration of the margin) 1 = Absent/Shallow (Dark Green Boston) 2 = Moderate (Vanguard) 3 = Deep (Great Lakes 659)

(a1) (c1) (c2)

INDENTATION: (Finest divisions of the margin)

1 = Entire (Dark Green Boston) 4 = Crenate (Vanguard)
2 = Shallowly Dentate (Great Lakes 65) 5 = Other (Specify) _____
3 = Deeply Dentate (Great Lakes 659)

(a1) (c1) (c2)

UNDULATIONS OF THE APICAL MARGIN: 1 = Absent/Slight (Dark Green Boston) 2 = Moderate (Vanguard)
3 = Strong (Great Lakes 659)

(a1) (c1) (c2)

GREEN COLOR:

1 = Very Light Green (Bibb) 3 = Medium Green (Great Lakes) 5 = Very Dark Green
2 = Light Green (Minetto) 4 = Dark Green (Vanguard) 6 = Other (Specify) _____

(a1) (c1) (c2)

ANTHOCYANIN:

DISTRIBUTION: 1 = Absent 3 = Spotted (California Cream Butter) 5 = Other (Specify) _____
2 = Margin Only (Big Boston) 4 = Throughout (Prize Head)

(a1) (c1) (c2)

CONCENTRATION: 1 = Light (Iceberg) 2 = Moderate (Prize Head) 3 = Intense (Ruby)

(a1) (c1) (c2)

SIZE: 1 = Small 2 = Medium 3 = Large

(a1) (c1) (c2)

GLOSSINESS: 1 = Dull (Vanguard) 2 = Moderate (Salinas) 3 = Glossy (Great Lakes)

(a1) (c1) (c2)

BLISTERING: 1 = Absent/Slight (Salinas) 2 = Moderate (Vanguard) 3 = Strong (Prize Head)

(a1) (c1) (c2)

LEAF THICKNESS: 1 = Thin 2 = Intermediate 3 = Thick

(a1) (c1) (c2)

TRICHOMES: 1 = Absent (Smooth) 2 = Present (Spiny)

(a1) (c1) (c2)

5. PLANT:

SPREAD OF FRAME LEAVES: (a1) cm (c1) cm (c2) cm

5. PLANT: (continued)

HEAD DIAMETER: (Market Trimmed with Single Cap Leaf)

(a1) cm(c1) cm(c2) cm

HEAD SHAPE:

1 = Flattened

2 = Slightly Flattened

3 = Spherical

4 = Elongate

5 = Non-Heading

6 = Other (Specify) _____

(a1) 0 5(c1) 0 5(c2) 0 5

HEAD SIZE CLASS:

1 = Small

2 = Medium

3 = Large

(a1) (c1) (c2)

HEAD PER CARTON:

(a1) 2 4(c1) 2 4(c2) 2 4

HEAD WEIGHT:

(a1) 0 9 2 4 g.(c1) 0 8 8 8 g.(c2) g.

HEAD FIRMNESS:

1 = Loose

2 = Moderate

3 = Firm

4 = Very Firm

(a1) 1(c1) 1(c2) 1

6. BUTT:

SHAPE:

1 = Slightly Concave

2 = Flat

3 = Rounded

(a1) 3(c1) 3(c2) 3

MIDRIB:

1 = Flattened (Salinas)

2 = Moderately Raised

3 = Prominently Raised (Great Lakes 659)

(a1) 2(c1) 2(c2) 2

7. CORE:

DIAMETER AT BASE OF HEAD:

(a1) 3 4 mm(c1) 3 3 mm(c2) 3 1 mm

RATIO OF HEAD DIAMETER/CORE DIAMETER:

(a1) . (c1) . (c2) .

CORE HEIGHT FROM BASE OF HEAD TO APEX:

(a1) 4 9 mm(c1) 5 3 mm(c2) 5 4 mm

8. BOLTING: (Give First Water Date: 04/21/2006)

NOTE: First Water Date is the date seed first receives adequate moisture to germinate. This can and often does equal the planting date.

NUMBER OF DAYS FROM FIRST WATER DATE TO SEED STALK EMERGENCE: (summer conditions)

(a1) 0 7 6(c1) 0 7 3(c2) 0 7 1

BOLTING CLASS:

1 = Very Slow

2 = Slow

3 = Medium

4 = Rapid

5 = Very Rapid

(a1) (c1) 3(c2)

HEIGHT OF MATURE SEED STALK:

 1 0 1 1 0 4 1 0 3

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(a1) cm (c1) cm (c2) cm

8. BOLTING: (continued)

SPREAD OF BOLTER PLANT: (At widest point)

(a1) cm(c1) cm(c2) cm

BOLTER LEAVES: 1 = Straight 2 = Curved

(a1) (c1) (c2)

MARGIN: 1 = Entire 2 = Dentate

(a1) (c1) (c2)

COLOR: 1 = Light Green 2 = Medium Green 3 = Dark Green

(a1) (c1) (c2)

BOLTER HABIT:

TERMINAL INFLORESCENCE: 1 = Absent 2 = Present

(a1) (c1) (c2)

LATERAL SHOOTS: 1 = Absent 2 = Present

(a1) (c1) (c2)

BASAL SIDE SHOOTS: 1 = Absent 2 = Present

(a1) (c1) (c2)

9. MATURITY: (earliness of harvest-mature head formation)

NOTE: Complete this section for at least one season.

SEASON	APPLICATION VARIETY No. of Days ¹			MOST SIMILAR VARIETY No. of Days ¹			STANDARD REGIONAL CHECK VARIETY No. of Days ¹		
Spring									
Summer		65			63			61	
Fall									
Winter									

¹ First Water Date to Harvest

Give Planting Date(s) and Location(s):

Spring: _____

Summer: 04/21/2006, San Juan Bautista, California

Fall: _____

Winter: _____

10. ADAPTATION:

PRIMARY REGIONS OF ADAPTATION (tested and proven adapted):

0 = Not Tested 1 = Not Adapted 2 = Adapted

Southwest (CA and/or AZ desert)

North Central

West Coast

Southeast

Northeast

Other (Specify) _____

10. ADAPTATION: (Continued)

SEASON:

☐ 2 Spring (Area West Coast) ☐ 2 Fall (Area West Coast, Southwest)
☐ Summer (Area) ☐ 2 Winter (Area West Coast, Southwest)

☐ 0 GREENHOUSE: 0 = Not Tested 1 = Not Adapted 2 = Adapted
☐ 1 SOIL TYPE: 1 = Mineral 2 = Organic 3 = Both

11. VIRAL DISEASES:

1 = Immune 3 = Resistant 5 = Moderately Resistant/Moderately Susceptible 7 = Susceptible 9 = Highly Susceptible

Big Vein	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Lettuce Mosaic	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Cucumber Mosaic	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Tomato Bushy Stunt, cause of dieback	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Turnip Mosaic	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Beet Western Yellows	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Lettuce Infectious Yellows	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Other (Specify) <u> </u>	(a1)	<input type="checkbox"/>	(c1)	<input type="checkbox"/>	(c2)	<input type="checkbox"/>

12. FUNGAL/BACTERIAL DISEASES:

1 = Immune 3 = Resistant 5 = Moderately Resistant/Moderately Susceptible 7 = Susceptible 9 = Highly Susceptible

Corky Root Rot (Races: <u> </u>)	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Downy Mildew (Races: <u> </u>)	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Powdery Mildew	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Sclerotinia Drop	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Bacterial Soft Rot (<i>Pseudomonas</i> spp. and others)	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Botrytis (Grey Mold)	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Verticillium Wilt	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Bacterial Leaf Spot	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Anthracnose	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Other (Specify) <u> </u>	(a1)	<input type="checkbox"/>	(c1)	<input type="checkbox"/>	(c2)	<input type="checkbox"/>

13. INSECTS:

1 = Immune 3 = Resistant 5 = Moderately Resistant/Moderately Susceptible 7 = Susceptible 9 = Highly Susceptible

Cabbage Loopers	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Root Aphids	(a1)	<input type="checkbox"/> 5	(c1)	<input type="checkbox"/> 5	(c2)	<input type="checkbox"/> 5
Green Peach Aphid	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7
Lettuce Aphid	(a1)	<input type="checkbox"/> 7	(c1)	<input type="checkbox"/> 7	(c2)	<input type="checkbox"/> 7

Pea Leafminer	(a1)	<input type="text" value="7"/>	(c1)	<input type="text" value="7"/>	(c2)	<input type="text" value="7"/>
Other (Specify) _____	(a1)	<input type="text"/>	(c1)	<input type="text"/>	(c2)	<input type="text"/>

14. PHYSIOLOGICAL STRESSES:

1 = Immune 3 = Resistant 5 = Moderately Resistant/Moderately Susceptible 7 = Susceptible 9 = Highly Susceptible

KAD 9/3/08

Tipburn <i>tolerant</i>	(a1)	<input type="text" value="5"/>	(c1)	<input type="text" value="7"/>	(c2)	<input type="text" value="7"/>
Heat	(a1)	<input type="text" value="5"/>	(c1)	<input type="text" value="5"/>	(c2)	<input type="text" value="5"/>
Drought	(a1)	<input type="text" value="7"/>	(c1)	<input type="text" value="7"/>	(c2)	<input type="text" value="7"/>
Cold	(a1)	<input type="text" value="5"/>	(c1)	<input type="text" value="5"/>	(c2)	<input type="text" value="5"/>
Salt	(a1)	<input type="text" value="5"/>	(c1)	<input type="text" value="5"/>	(c2)	<input type="text" value="5"/>
Brown Rib (Rib Discoloration, Rib Blight)	(a1)	<input type="text" value="5"/>	(c1)	<input type="text" value="5"/>	(c2)	<input type="text" value="5"/>
Other (Specify) _____	(a1)	<input type="text"/>	(c1)	<input type="text"/>	(c2)	<input type="text"/>

15. POST HARVEST STRESS:

1 = Immune 3 = Resistant 5 = Moderately Resistant/Moderately Susceptible 7 = Susceptible 9 = Highly Susceptible

Pink Rib	(a1)	<input type="text" value="5"/>	(c1)	<input type="text" value="5"/>	(c2)	<input type="text" value="5"/>
Russet Spotting	(a1)	<input type="text" value="7"/>	(c1)	<input type="text" value="7"/>	(c2)	<input type="text" value="7"/>
Rusty Brown Discoloration	(a1)	<input type="text" value="7"/>	(c1)	<input type="text" value="7"/>	(c2)	<input type="text" value="7"/>
Internal Rib Necrosis (Blackheart, Grey Rib, Grey Streak)	(a1)	<input type="text" value="5"/>	(c1)	<input type="text" value="5"/>	(c2)	<input type="text" value="5"/>
Brown Stain	(a1)	<input type="text" value="5"/>	(c1)	<input type="text" value="5"/>	(c2)	<input type="text" value="5"/>

16. BIOCHEMICAL OR ELECTROPHORETIC MARKERS:

17. COMMENTS:

SUGGESTED CHECK VARIETIES

<u>TYPE</u>	<u>CHECK VARIETY</u>
1 Cutting/Leaf	Waldmann's Green
2 Butterhead	Dark Green Boston
3 Bibb	Bibb
4 Cos or Romain	Parris Island
5 Great Lakes Group	Great Lakes 659-700
6 Vanguard Group	Vanguard
7 Salinas Group	Salinas
8 Eastern Group	Ithaca
9 Stem	Celtuce
10 Latin	Little Gem

REFERENCES

- Bowring, J.D.C., 1969, "The Identification of Varieties of Lettuce (*Lactuca Sativa* L.)". Journal of the National Institute of Agricultural Botany 11:499-520. National Institute of Agricultural Botany, Cambridge, UK.
- Davis, R.M., K.V. Subbarao, R.N. Raid, and E.A. Kurtz, 1997. "Compendium of Lettuce Diseases". APS Press, St. Paul, MN.
- Michelmore, R.W., J. M. Norwood, D.S. Ingram, I.R. Crute and P. Nicholson. 1984. "The inheritance of virulence in *Bremia lactucae* to match resistance factors 3, 4, 5, 6, 8, 9, 10, and 11 in lettuce (*Lactuca sativa*)". Plant Pathology 32:176-177.
- Norwood, J.M., R.W. Michelmore, I.R. Crute and D.S. Ingram. 1983. "The inheritance of specific virulence of *Bremia lactucae* (Downy Mildew) to match R-factors 1, 2, 4, 6, and 11 in lettuce (*Lactuca sativa*)". Plant Pathology 32:176-177.
- Rodenburg, C.M., et al., 1960. "Varieties of Lettuce. An International Monograph", Instituut voor de Verdeling van Tuinbouwgewassen (IVT), Wageningen, NL.
- Ryder, E.J., 1999, *Lettuce, Endive, and Chicory*, CABI Publications, Wallingford, UK.

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Unisun (exp. BOS 9121 GLX)



Fourth True Leaf of 20 Day Old Greenhouse Grown Seedling

Lettuce – Unisun (Exp BOS 9121 GLX)

(Addendum)

Distinct differences between certain other green leaf varietiesBlack Seeded Simpson

'Unisun' has leaves that grow out from the growing point of the loose leaf head at market maturity, resulting in an open center, and Black Seeded Simpson has center leaves that grow upright and closing at the center growing point of the loose leaf head.
'Unisun' has a dark yellow green color and Black Seeded Simpson has a very light yellow green color.

Black Seeded Simpson information source – Colorado State University, Bolting Resistance Project – Published 2-28-04

Genecorp Green

"Unisun" has leaves that grow out from the growing point of the loose leaf head at market maturity, resulting in an open center, and Genecorp Green has center leaves that grow upright and closing at the center growing point of the loose leaf plant.

Genecorp Green and Unisun information sources – PVP applications

Grand Rapids TBR

'Unisun' has leaves that grow out from the growing point of the loose leaf head at market maturity, resulting in an open center, and Grand Rapids TBR has center leaves that grow upright and closing at the center growing point of the loose leaf plant.

Unisun has a dark yellow green color and Grand Rapids TBR has a light yellow green color. *is tolerant*

Unisun ~~does not have~~ tipburn resistance and Grand Rapids has tipburn resistance.

Grand Rapids TBR information source – Colorado State University, Bolting Resistance Project – published 2/28/04

RAD
9/3/08

Unisun (Exp BOS 9121 GLX)

(Addendum)

Distinct differences between certain lettuce varieties continued

Green Ice

'Unisun' has leaves that grow out from the growing point of the loose leaf head at market maturity, resulting in an open center, and Green Ice has center leaves that fold in before bolting of the loose leaf plant.

Unisun is not a semi head type and Green Ice is a semi head type.

Information source for Green Ice – PVP application

Marin

'Unisun' has leaves that grow out from the growing point of the loose leaf head at market maturity, resulting in an open center, and Marin has center leaves that grow upright and closing at the center growing point of the loose leaf plant.

Unisun is adapted for warmer growing areas of southwest US and Marin is adapted for cooler growing areas.

Marin information source – PVP

Pacifica

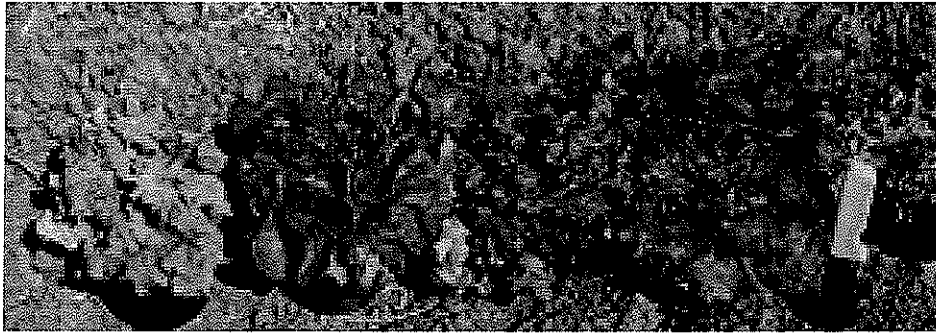
'Unisun' is adapted to the warmer growing areas of southwest US and Pacifica is adapted to the cooler growing areas of southwest US.

Pacifica information source – PVP application

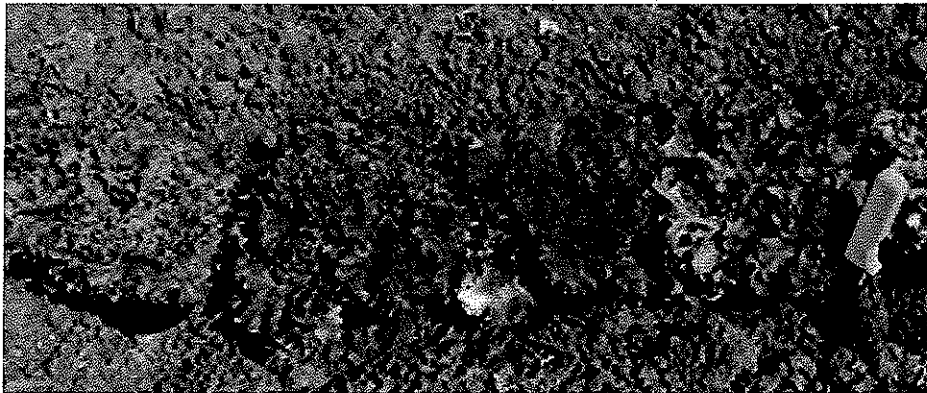
Lettuce Unisun (Exp Bos 9121 GLX)

(Addendum)

PHOTOS - Variety Color Differences and
Center Growing Points Differences Grand Rapids TBR
and Marin (Marin and Unisun have similar color)



Black Seeded Simpson, Concept, Crisp & Green, Envy



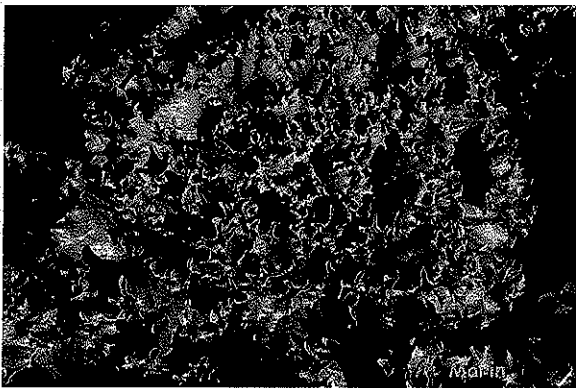
Grand Rapids TBR, Green Vision, Marin, Salad Bowl

Source - Colorado State University,
Bolting Resistance Project - Published 2/28/08

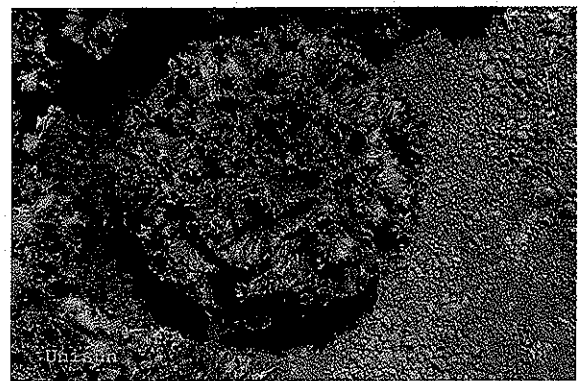
Lettuce Unisun (Exp BOS 9121 GLX)
(Addendum)

PHOTOS - Variety color differences of Grand Rapids TBR
and Marin and Unisun

Exhibit verifying the similar color of Marin and Unisun



Lettuce, Marin



Lettuce, Unisun (Exp 9121 GLX)

Images taken 7-7-08

Location - Orsetti Seed Company, Inc. Research Station
San Juan Bautista, CA

Lettuce - Unisun (exp. BOS 9121 GLX)

(Addendum, Continued)

Table I:

Summary of comparisons between Unisun (exp. BOS 9121 GLX), Two Star PVP and Waldmann's Green

Trait	Unisun (exp. BOS 9121)	Two Star PVP	Waldmann's Green	Location	Evaluation Date
Frame Width at Harvest	42.2 cm	42.4 cm	43.5 cm	San Juan Bautista, CA	08/17/2006
	36.4 cm	40.6 cm	41.5 cm	San Juan Bautista, CA	10/30/2006
Plant Height at Harvest	26.6 cm	26.8 cm	28.2 cm	San Juan Bautista, CA	08/17/2006
	22.2 cm	24.6 cm	25.5 cm	San Juan Bautista, CA	10/30/2006
Head Weight at Harvest	846.5 gm	851.5 gm	865.0 gm	San Juan Bautista, CA	08/17/2006
	765.5 gm	822.0 gm	830.5 gm	San Juan Bautista, CA	10/30/2006
Core Height	92.4 mm	91.5 mm	94.0 mm	San Juan Bautista, CA	08/17/2006
	84.5 mm	86.0 mm	88.5 mm	San Juan Bautista, CA	10/30/2006
Core Diameter	36.5 mm	38.4 mm	39.6 mm	San Juan Bautista, CA	08/17/2006
	34.2 mm	36.5 mm	38.4 mm	San Juan Bautista, CA	10/30/2006
Mature Plant Height	98.5 cm	105.0 cm	108.5 cm	San Juan Bautista, CA	11/02/2006
Inflorescence Diameter	38.5 cm	39.6 cm	40.0 cm	San Juan Bautista, CA	11/02/2006
Whole Seedling Weight @ 20 Days	1.743 gm	2.045 gm	2.125 gm	Hollister, CA	07/24/2006

ns = Not significantly different at $\alpha = .05$ * = significantly different at $\alpha = .05$

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#200700454

Lettuce - Unisun (exp. BOS 9121 GLX)

(Addendum, Continued)

Test Useable Single Leaves

Test Date: 10/30/2006

Location: San Juan Bautista, California

HEAD	UNISUN			TWO STAR PVP			WALDMANN'S GREEN		
	6" - 8"	4" - 5"	2" - 3"	6" - 8"	4" - 5"	2" - 3"	6" - 8"	4" - 5"	2" - 3"
1	12	11	9	15	3	3	12	5	3
2	13	12	7	13	4	4	12	6	3
3	13	12	8	15	4	4	13	5	4
4	13	11	8	15	3	4	13	6	3
5	12	10	7	14	3	4	12	5	4
6	12	11	10	15	4	3	13	5	4
7	13	11	10	15	4	3	11	5	3
8	12	11	10	14	3	3	12	6	4
9	12	10	9	13	5	3	12	5	4
10	13	11	8	15	4	4	11	5	3
	125	110	86	144	37	35	121	53	35

AVG. TOTAL:

32

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Lettuce - Unisun (exp. BOS 9121 GLX)

(Addendum)

Test Whole Seedling Weight (gm)

Test Date: 07/24/2006

	UNISUN	TWO STAR PVP	WALDMANN'S GREEN
1	1.700	2.206	1.962
2	1.685	2.106	2.116
3	1.634	1.943	2.083
4	1.922	1.874	1.852
5	1.562	2.043	1.964
6	1.810	2.172	2.123
7	1.782	1.883	2.063
8	1.682	1.940	1.881
9	1.820	2.214	2.186
10	1.834	2.068	2.143
MEAN:	1.743	2.045	2.037

Test Head Weight (gm)

Test Date: 08/17/2006

	UNISUN	TWO STAR PVP	WALDMANN'S GREEN
1	910.3	842.2	836.6
2	874.7	837.6	868.4
3	878.2	883.5	866.3
4	901.5	870.6	870.4
5	886.4	885.3	858.2
6	891.6	848.8	875.4
7	905.4	866.1	852.7
8	892.3	859.4	883.5
9	872.8	887.9	847.3
10	894.4	873.9	871.4
MEAN:	890.8	865.5	863.0

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U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE

Application is required in order to determine if a plant variety protection certificate is to be issued (7 U.S.C. 2421). The information is held confidential until the certificate is issued (7 U.S.C. 2426).

EXHIBIT E
STATEMENT OF THE BASIS OF OWNERSHIP

1. NAME OF APPLICANT(S) Orsetti Seed Company, Inc.	2. TEMPORARY DESIGNATION OR EXPERIMENTAL NUMBER BOS 9121 GLX	3. VARIETY NAME Unisun
4. ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP, and Country) 2301 Technology Parkway P.O. Box 2350 Hollister, CA 95024-2350	5. TELEPHONE (Include area code) (831) 636-4822	6. FAX (Include area code) (831) 636-4814
7. PVPO NUMBER #200700454		

8. Does the applicant own all rights to the variety? Mark an "X" in the appropriate block. If no, please explain.



YES



NO

9. Is the applicant (individual or company) a U.S. national or a U.S. based company? If no, give name of country.



YES



NO

10. Is the applicant the original owner?



YES



NO

If no, please answer one of the following:

a. If the original rights to variety were owned by individual(s), is (are) the original owner(s) a U.S. National(s)?



YES



NO

If no, give name of country

b. If the original rights to variety were owned by a company(ies), is (are) the original owner(s) a U.S. based company?



YES



NO

If no, give name of country

11. Additional explanation on ownership (Trace ownership from original breeder to current owner. Use the reverse for extra space if needed):

The original breeding work was done by Dr. John Hunsperger while in the employ of Orsetti Seed Company, Inc. Selection and single seed descent work for the ultimate variety was done by Paul T. Orsetti, also in the employ of Orsetti Seed Company, Inc.

Please see comments included as Exhibit A, "Origin and Breeding History of the Variety" with this application.

PLEASE NOTE:

Plant variety protection can only be afforded to the owners (not licensees) who meet the following criteria:

1. If the rights to the variety are owned by the original breeder, that person must be a U.S. national, national of a UPOV member country, or national of a country which affords similar protection to nationals of the U.S. for the same genus and species.
2. If the rights to the variety are owned by the company which employed the original breeder(s), the company must be U.S. based, owned by nationals of a UPOV member country, or owned by nationals of a country which affords similar protection to nationals of the U.S. for the same genus and species.
3. If the applicant is an owner who is not the original owner, both the original owner and the applicant must meet one of the above criteria.

The original breeder/owner may be the individual or company who directed the final breeding. See Section 41(a)(2) of the Plant Variety Protection Act for definitions.

According to the Paperwork Reduction Act of 1995, an agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this information collection is 0581-0055. The time required to complete this information collection is estimated to average 0.1 hour per response, including the time for reviewing the instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

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To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice and TDD). USDA is an equal opportunity provider and employer.

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Form Approved OMB NO 0581-0055

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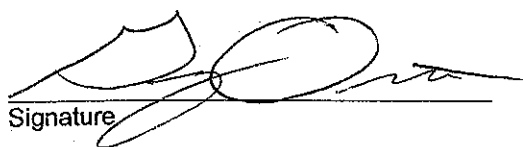
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U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
SCIENCE AND TECHNOLOGY
PLANT VARIETY PROTECTION OFFICE
BELTSVILLE, MD 20705

EXHIBIT F
DECLARATION REGARDING DEPOSIT

NAME OF OWNER (S)	ADDRESS (Street and No. or RD No., City, State, and Zip Code and Country)	TEMPORARY OR EXPERIMENTAL DESIGNATION
Orsetti Seed Company, Inc.	2301 Technology Parkway P.O. Box 2350 Hollister, CA 95024-2350	BOS 9121 GLX
NAME OF OWNER REPRESENTATIVE (S)	ADDRESS (Street and No. or RD No., City, State, and Zip Code and Country)	VARIETY NAME
Greg P. Orsetti	2301 Technology Parkway P.O. Box 2350 Hollister, CA 95024-2350	Unisun
		PVPO NUMBER
		#200700454

I do hereby declare that during the life of the certificate a viable sample of propagating material of the subject variety will be deposited, and replenished as needed periodically, in a public repository in the United States in accordance with the regulations established by the Plant Variety Protection Office.


Signature

9/24/07
Date